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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bernard A. Clark, et al

PHOTOGRAPHIC ELEMENT
CONTAINING A SPEED-
ENHANCING COMPOUND

Serial No. 10/574,669

Filed 31 March 2006
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: To Be Assigned

Examiner: To Be Assigned

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Deidra L. Mack

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July 2, 2007

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Sir:

**STATUS INQUIRY - NON-RECEIPT
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U.S. Serial No. 10/574,669 was filed 31 March 2006 and to date no Filing Receipt has been received. Please forward a copy of the Filing Receipt to the undersigned.

Respectfully submitted,

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.



THE US PATENT AND TM OFFICE

100W

Serial Number: 11767519

Filing Date: 06/24/2007

Applicant: Normand Roy

June 26, 2007

Montreal, QUE, Canada

FILING OF A CERTIFIED COPY

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This certified copy is to certify that the above cited application, which was filed claiming a priority date can do so based on the date cited on the enclosed certified copy.

Very Respectfully,

Applicant pro se



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Specification and Drawing, as originally filed, with Application for Patent Serial
No: **CA 2569051**, on November 27, 2006, by **NORMAND ROY and SOPHIE
HAMELIN**, for "Footwear Cover Having Water Absorbent Characteristics and Non Slip,
Longwear Soles".

Sherry Lamphier

Agent certificateur/Certifying Officer

June 14, 2007

Date

(CIPO 68)
31-03-04

Canada

O P I C  C I P O

ABSTRACT

A footwear cover having water absorbent characteristics and non slip, longwear soles comprises a footwear cover for covering footwear symmetric so as not to have a left or a right side. The footwear cover has a covering surface made of soft, pliable, washable, and resilient material. A non slip sole is attached to the underside of the covering surface. An elastic band around a point of entry of a user's footwear tightens at the user's ankle when the footwear is put in. An absorbent padding material, located inside of the footwear cover, is made of a material known to have excellent liquid or moisture absorption characteristics.

Footwear cover having water absorbent characteristics
and non slip, longwear soles

FIELD OF THE INVENTION

5[001] The invention relates generally to footwear but more particularly to a non-disposable footwear cover capable of absorbing moisture from footwear while providing good floor adherence capability with its non slip soles.

PRIOR ART CAPABILITY AND MOTIVATIONS, AS HELPING TO SHOW

10PATENTABILITY HERE

[002] There exists a variety of shoe and boot covers, generally of the disposable kind which allow a user to walk into certain areas in which it is important not to soil the floor surface. This can be for dental or medical clinics, hospitals, or for clean rooms such as used in the fields
15 of biology or microelectronics.

[003] For such specialized applications where extremely clean shoe covers are needed, it is preferable to have disposable shoe covers which won't carry contaminants from one area to another. But there are several other types of environments where it is not so critical to be sanitized and

use disposable covers but rather keep an environment unsullied. For example, in wintertime, if a tradesman or repairman has to enter a dwelling, instead of having to remove his boots -- which may be soiled by mud, snow or dust -- putting on covers over the soiled footwear has

5 the advantage of not having to remove one's footwear and not having to walk on one's socks, while at the same time not soiling the floor surface of the dwelling. For such occasional use, it is not necessary to have disposable footwear covers, just a pair of reusable and washable covers.

10[004] Such reusable and washable covers are found in the prior art but may not have the convenience of being put on very fast regardless of the direction by which they are slipped over the footwear. Also, the footwear covers of the prior art fail to provide materials which is known to absorb moisture as found in snow or mud which generally clings to the

15 footwear.

[005] Even in hindsight consideration of the present invention to determine its inventive and novel nature, it is not only conceded but emphasized that the prior art had many details usable in this invention, but only if the prior art had had the guidance of the present invention, details of both

20 capability and motivation.

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[006] That is, it is emphasized that the prior art had/or knew several particulars which individually and accumulatively show the non-obviousness of this combination invention. E.g.,

a) cost of fabric, elastic bands rubber soles;

5

b) The nature of an invention as being a "novel combination", in spite of existence of details separately, is especially significant here where the novelty is of the plurality of concepts, i.e., the use of footwear covers having the durability for multiple use, water and/or moisture absorbing qualities;

10

c) The addition of providing long lasting non slip soles;

15

d) The matter of particular practicality in having footwear covers which are simpler and faster for a user to put on and take off at a later time than it is for a user to remove his footwear and put them on again at a later time;

20

e) The ease of tooling for the present invention has surely given manufacturers ample incentive to have made modifications for commercial competitiveness, if the concepts had been obvious;

f) The prior art has always had sufficient skill to make many types of footwear covers, more than ample skill to have achieved the present invention, but only if the concepts and their combinations had been conceived;

5

g) Substantially all of the operational characteristics and advantages of details of the present invention, when considered separately from one another and when considered separately from the present invention's details and accomplishment of the 10 details, are within the skill of persons of various arts, but only when considered away from the integrated and novel combination of concepts which by their cooperative combination achieve this advantageous invention;

15 h) The details of the present invention, when considered solely from the standpoint of construction, are exceedingly simple, basically a strong fabric, a resilient elastic band, industrial type sewing, water absorbent fabric, non slip material for the soles and the matter of simplicity of construction has long been recognized 20 as indicative of inventive creativity;

i) Similarly, and a long-recognized indication of inventiveness of a novel combination, is the realistic principle that a person of

ordinary skill in the art, as illustrated with respect to the claimed combination as differing in the stated respects from the prior art both as to construction and concept, is presumed to be one who thinks along the line of conventional wisdom in the art and is not 5 one who undertakes to innovate; and

10 i) The predictable benefits from a novel footwear cover product and usage having the features of this invention would seem sufficiently high that others would have been working on this type of product, but only if the concepts which it presents had been conceived.

15 [007] Accordingly, although the prior art has had capability and motivation, amply sufficient to presumably give incentive to the development of a product according to the present invention, the fact remains that this invention awaited the creativity and inventive discovery of the present Inventor. In spite of ample motivation, the prior art did not suggest this invention.

**PRIOR ART AS PARTICULAR INSTANCES OF FAILURE TO PROVIDE
THIS NOVEL PRODUCT AND INSTALLATION METHOD**

[008] In view of the general advantages of the present invention as an
5 improved embodiment of the prior art, it may be difficult to realize that
the prior art has not conceived of the combination purpose and
achievement of the present invention, even though the need for keeping
floor cleans is a known requested commodity for people nowadays who,
in the case of installation workers who require to enter dwellings and
10 have to check their footwears before entering a dwelling or children who
constantly run in and out of the house, often bringing in dirt. Surely the
need for easy to put on and take off footwear covers has been known for
decades and the technology to achieve such results has been known for
years and that the various combination provided in this invention would
15 have been desired and attempted long ago, but only if its factors and
combination-nature had been obvious.

[009] Other considerations, as herein mentioned, when realistically evaluated
show the inventive nature of the present invention, a change in concept
which the prior patent and other prior art did not achieve.

SUMMARY OF THE PRIOR ART'S LACK OF SUGGESTIONS OF THE CONCEPTS OF THE INVENTION'S COMBINATION

[0010] And the existence of such prior art knowledge and related ideas

5 embodying such various features is not only conceded, it is emphasized; for as to the novelty here of the combination, of the invention as considered as a whole, a contrast to the prior art helps also to remind of needed improvement, and the advantages and the inventive significance of the present concepts. Thus, as shown herein as a contrast to all the
10 prior art, the inventive significance of the present concepts as a combination is emphasized, and the nature of the concepts and their results can perhaps be easier seen as an invention.

[0011] Although varieties of prior art are conceded, and ample motivation is shown, and full capability in the prior art is conceded, no prior art shows
15 or suggests details of the overall combination of the present invention, as is the proper and accepted way of considering the inventiveness nature of the concepts.

[0012] That is, although the prior art may show an approach to the overall invention, it is determinatively significant that none of the prior art shows
20 the novel and advantageous concepts in combination, which provides the merits of this invention, even though certain details are shown separately from this accomplishment as a combination.

[0013] And the prior art's lack of an invention of an economical, easy to use
footwear having no left or right, instantly adjustable by way of an elastic
band, a non slip sole and resilient water absorbing characteristics
combined with washability so as to clean off the inside that is quickly
5 soiled with mud, dirty snow and such, which are goals only approached
by the prior art, must be recognized as being a long-felt need now
fulfilled.

[0014] Accordingly, the various concepts and components are conceded and
emphasized to have been widely known in the prior art as to various
10 installations; nevertheless, the prior art not having had the particular
combination of concepts and details as here presented and shown in
novel combination different from the prior art and its suggestions, even
only a fair amount of realistic humility, to avoid consideration of this
invention improperly by hindsight, requires the concepts and
15 achievements here to be realistically viewed as a novel combination,
inventive in nature. And especially is this a realistic consideration when
viewed from the position of a person of ordinary skill in this art at the
time of this invention, and without trying to reconstruct this invention
from the prior art without use of hindsight toward particulars not
20 suggested by the prior art.

FEATURES AND ADVANTAGES OF THE INVENTION

[0015] In view of the foregoing disadvantages inherent in the known devices now present in the prior art, the present invention, which will be 5 described subsequently in greater detail, is to provide objects and advantages which are:

[0016] To provide for a footwear cover that is instantly adjustable by way of an elastic band, has a non slip sole, is resilient, has water absorbing characteristics combined with washability.

10[0017] To attain these ends, the present invention generally comprises a footwear cover for covering footwear symmetric so as not to have a left or a right side. The footwear cover has a covering surface made of soft, pliable, washable, and resilient material. A non slip sole is attached to the underside of the covering surface. An elastic band around a point of 15 entry of a user's footwear tightens at the user's ankle when the footwear is put in. An absorbent padding material, located inside of the footwear cover, is made of a material known to have excellent liquid or moisture absorption characteristics.

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[0018] In a variant of the preferred embodiment, the footwear cover is substantially elliptical in shape with the point of entry located at a central

location so that the footwear cover does not have a predefined front or back.

[0019] There has thus been outlined, rather broadly, the more important
5 features of the invention in order that the detailed description thereof
that follows may be better understood, and in order that the present
contribution to the art may be better appreciated. There are additional
features of the invention that will be described hereinafter and which will
form the subject matter of the claims appended hereto.

10

[0020] In this respect, before explaining at least one embodiment of the
invention in detail, it is to be understood that the invention is not limited
in its application to the details of construction and to the arrangements
of the components set forth in the following description or illustrated in
15 the drawings. The invention is capable of other embodiments and of
being practiced and carried out in various ways. Also, it is to be
understood that the phraseology and terminology employed herein are
for the purpose of description and should not be regarded as limiting.

20[0021] As such, those skilled in the art will appreciate that the conception, upon
which this disclosure is based, may readily be utilized as a basis for the
designing of other structures, methods and systems for carrying out the
several purposes of the present invention. It is important, therefore, that

the claims be regarded as including such equivalent constructions insofar as they do not depart from the spirit and scope of the present invention.

5[0022] These together with other objects of the invention, along with the various features of novelty which characterize the invention, are pointed out with particularity in the claims annexed to and forming a part of this disclosure. For a better understanding of the invention, its operating advantages and the specific objects attained by its uses, reference 10 should be made to the accompanying drawings and descriptive matter which contains illustrated preferred embodiments of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

[0023] **Fig. 1a** Side elevation of the footwear cover.

15[0024] **Fig. 1b** Close up view of Fig. 1a.

[0025] **Fig. 2** Front elevation of the footwear cover.

[0026] **Fig. 3** Perspective view of the footwear cover empty.

DETAILED DESCRIPTION

[0027] A footwear cover (10) has a covering surface (12) made of soft, pliable, washable, and resilient material. Attached to the underside onto the soft, pliable, washable, and resilient material is a non slip sole (14). The 5 manner by way the non slip sole (14) is attached can be taken from any known or yet to be invented attachment technique or process and need not be discussed herein. An elastic band (16) around a point of entry (18) of a user's footwear (20) tightens at the user's ankle (22) when the footwear (20) is put in. The interior of the footwear cover (10) is padded 10 with an absorbent padding material (24) made of a material known to have excellent liquid or moisture absorption characteristics while being soft, pliable and easy to wash either by hand or by machine so that the entire footwear cover (10) can be machine washed at once without the need for removing parts. Also, the absorbent padding material (24) dries rapidly. In fact, all parts are preferably fixedly 15 attached so as to provide long lasting characteristics since these footwear covers (10) are not of the "one use" type but rather long lasting like slippers or other such footwear and as such are made of durable material which will change over the years as better materials are found 20 that can improve the product. Sowing and/or glueing of the individual parts are the preferred methods of assembly and such methods of assembly are well known in the art and need not be discussed herein.

[0028] Optionally, a loop (26), can be attached to the covering surface (12) so as to allow for hanging the footwear cover (10). Of course, this feature is not essential and is not necessarily found on the footwear cover (10).

[0029] The footwear cover (10) is symmetric, that is there is no predefined left 5 or right so a user does not have to figure out which is left and which is right. In fact, a variation of the embodiment such as illustrated in fig. 3 could even forego of the front and back by having the footwear cover (10) being substantially elliptical in shape with the point of entry (18) in the middle. In such an embodiment, the footwear cover (10) will 10 reposition and stretch itself longitudinally in the direction of the front of the footwear (20).

[0030] As to a further discussion of the manner of usage and operation of the present invention, the same should be apparent from the above description. Accordingly, no further discussion relating to the manner of 15 usage and operation will be provided.

[0031] With respect to the above description then, it is to be realized that the optimum dimensional relationships for the parts of the invention, to include variations in size, materials, shape, form, function and manner of 20 operation, assembly and use, are deemed readily apparent and obvious to one skilled in the art, and all equivalent relationships to those illustrated in the drawings and described in the specification are

intended to be encompassed by the present invention. For example, although size is not too critical, it is obvious that various sizes such as small, medium and large, for example could be provided for the footwear cover (10) so that children, teenagers, men and women can find an
5 adequate size to fit over their footwear.

[0032] Therefore, the foregoing is considered as illustrative only of the principles of the invention. Further, since numerous modifications and changes will readily occur to those skilled in the art, it is not desired to
10 limit the invention to the exact construction and operation shown and described, and accordingly, all suitable modifications and equivalents may be resorted to, falling within the scope of the invention.

CLAIMS

1. A footwear cover for covering footwear symmetric so as not to have a left or a right side comprising:
 - 5 a covering surface made of soft, pliable, washable, and resilient material;
 - a non slip sole attached to the underside of said covering surface;
 - an elastic band around a point of entry of a user's footwear that tightens at the user's ankle when said footwear is put in;
 - 10 an absorbent padding material located inside of said footwear cover made of a material known to have excellent liquid or moisture absorption characteristics.
2. A footwear cover as in claim 1 wherein:
 - 15 said footwear substantially elliptical in shape with said point of entry located at a central location so that said footwear cover does not have a predefined front or back.

FIG. 1

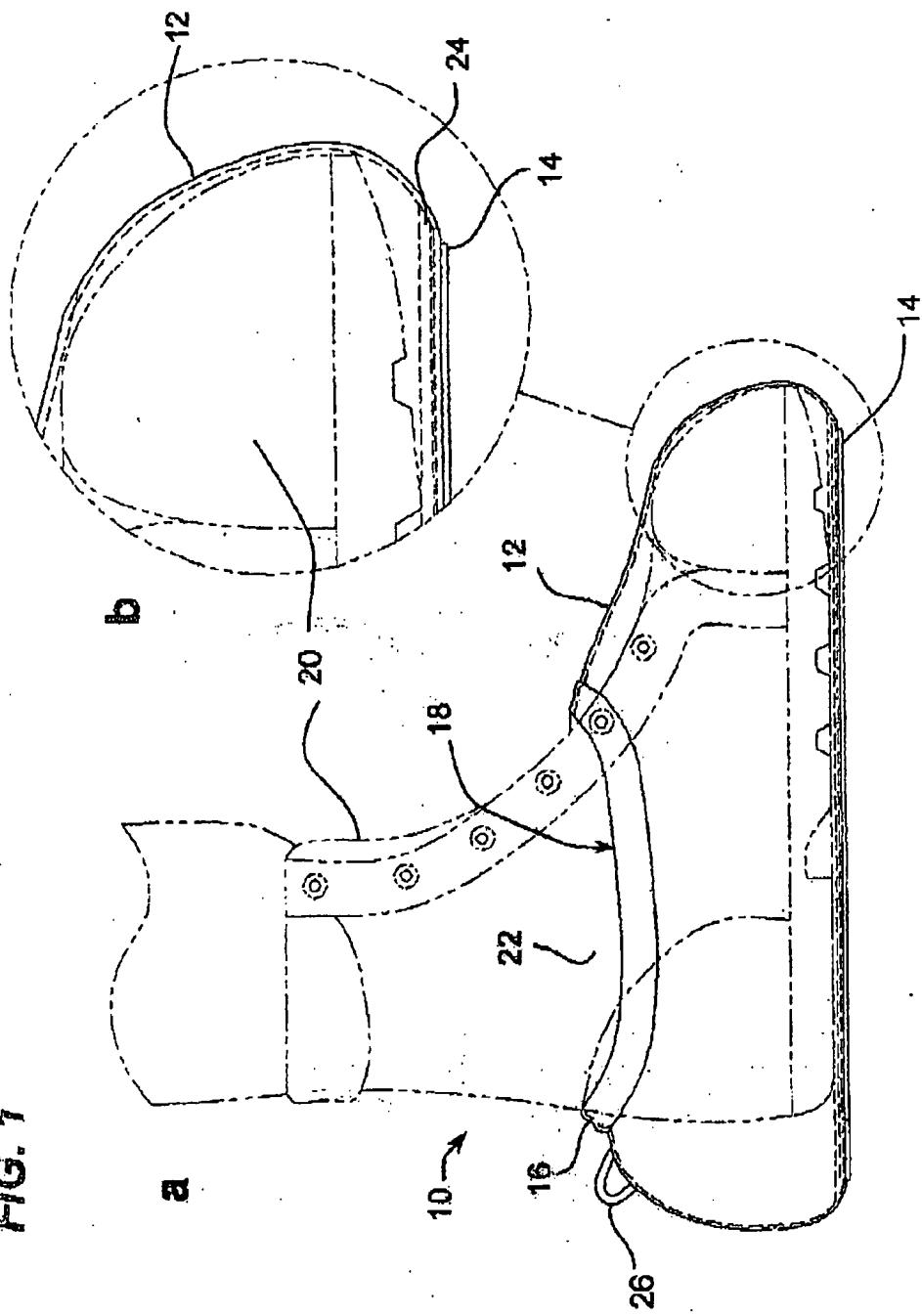


FIG. 2

